



Appeal Decision

Site visit made on 30 July 2019

by P Mileham BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2019

Appeal Ref: APP/A5270/W/19/3227434
83, Queens Road, Southall UB2 5AZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs. K. Dhiman against the decision of the Council of the London Borough of Ealing.
 - The application Ref 190616FUL, dated 6 February 2019, was refused by notice dated 5 April 2019.
 - The development is described as a loft conversion with rear dormer extension (retrospective) and conversion of dwelling into two flats (proposed).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. At the site visit, I observed that the rear dormer extension had been constructed and the ground floor extension was largely complete. Both elements appeared to accord with the drawings submitted, and as such, I am determining the appeal on the basis of those plans.

Main Issues

3. The main issue is the effect of the development on the character and appearance of the area having regard to the roof design of the loft conversion.

Reasons

4. The appeal site is a two-storey mid terraced property of single bay-front design. The surrounding area is characterised by further terraces which are similar in appearance on both sides of the street to the appeal site. The rear of the property has previously been extended at ground and first floor level. A number of the surrounding properties have had dormer windows constructed in their rear elevations and rear extensions but no 'L shaped' or outrigger dormers were apparent in this part of the street. The properties in this part of the street overlook the railway line that runs parallel with Queens Road.
5. To the front the property, two rooflights have been inserted into the front roof slope and to the rear, the dormer and outrigger have already been constructed and a ground floor rear extension also appeared to be largely complete.
6. The L shaped dormer has been constructed with a flat roof with tiled sides covering nearly the full extent of the rear roof slope. The dormer has been

constructed in very close proximity to both the eaves and the roof line of the property and extends fully across to the party wall line of the adjoining neighbouring property at No. 81. The outrigger projects upwards from the footprint of the existing rear extension which has the effect of continuing the flat appearance of the side and rear elevations. There are no recesses or design detail beyond the tiled covering that would help to articulate that the proposal is a subservient extension to the host dwelling. This results in a scale and design that lacks articulation and appears bulky and disproportionate to its host.

7. Whilst the extension is only visible from the rear, its height means that it would nonetheless be partially visible from the gardens of other properties in this part of the street. This removes the opportunity for oblique views of any remaining elements of the rear roof slope to be seen, compounding the feeling of dominance over the rear roof slope and elevations. I consider that the scheme has resulted in harm to the character and appearance of the building.
8. The appellant has drawn my attention to a Certificate of Lawful Use (proposed development) that has been granted for a rear dormer that they consider to not be substantially smaller than the appeal proposal. Nonetheless, the appeal proposal is significantly larger than would be allowed under Permitted Development. My attention has also been drawn to a recent planning permission at the property (planning reference 191808FUL) which permits the retention of the dormer and a reduced depth dormer extension. In both cases the fallback positions put forward by the appellant would be significantly less bulky than the development that has been constructed. Therefore, both fallbacks would result in a smaller dormer with a less bulky appearance in relation to the proportions of the host dwelling.
9. Policy 7.4(B)(a) of the London Plan requires that buildings have regard to the pattern and grain of existing spaces and streets in orientation, scale, proportion and mass. Policy 7.6(B)(b) requires amongst other things, that buildings be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm. I consider that due to the harm I have identified to the character of the property by virtue of the appeal scheme's excessive bulk and mass that it is contrary to Policies 7.4 and 7.6 of the London Plan.
10. Policy 7.4 of the Ealing Development Management Development Plan Document (2013) states that for planning decisions, development in Ealing's existing built areas should complement, amongst other things, their scale and detailing. I consider that the scale of the proposal and its bulk would not complement either the building or the character of the area. As such, I consider that the proposal is contrary to Policy 7.4 of the plan.
11. Paragraph 130 of the National Planning Policy Framework indicates that Planning Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. In light of the harm I have identified due to the scheme's scale and bulk, I consider that the proposal also fails to conform with the Framework in this regard.

Other Matters

12. Representations have been received expressing support for the design of the dormer and its favourable impact on the street scene, its outlook over the railway line not being harmful to the street scene and the high quality of construction that has taken place. Whilst supportive responses have been received, in my judgement the proposal would harm to the character and appearance of the area due to the bulky and disproportionate appearance. As such, these do not alter my findings in this regard. Notwithstanding the supportive views expressed regarding the construction quality, these do not outweigh the harm I have identified to the character and appearance of the property.
13. An objection was raised by the occupier of an adjoining property (No.85) as part of this appeal which raised concerns regarding the effect of the development on their living conditions. The appellant has indicated that the proposal does not harm the living conditions of neighbouring properties, and whilst this was not stated by the Council to be a reason for refusal, I note that the windows have been located to as to face directly out towards the rail line to the rear. As such, there are no windows that would create additional overlooking than would have otherwise been present prior to the development. However, this is not of itself a benefit to the scheme rather it is a neutral effect by neither increasing or decreasing overlooking. As such, this does not outweigh the harm I have identified to the character and appearance of the area.
14. The appellant has drawn to my attention that the Council has not raised concerns with the principle of the conversion of the dwelling into two flats nor raised concerns regarding the standard of accommodation provided. Whilst I acknowledge that the proposal would provide an appropriate standard of accommodation and associated benefits for future occupiers, due to the harm I have identified against the Development Plan in the main issue above, this does not outweigh my conclusion.

Conclusion

15. The appeal is dismissed.

P Mileham

Inspector